**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen J. Elledge, et al.

Serial No.: 09/122,384

Filed: July 24, 1998

For: RAPID SUBCLONING USING SITE-

SPECIFIC RECOMBINATION

Group Art Unit: 1636

Examiner: Yucel, I.

Atty. Dkt. No.: BAY136/4-010CIP

CERTIFICATE OF MAILING 37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mall In an envelope addressed to: Assistant Commissioner for Patents, Washington, DG-20231, on the date below:

Timothy S. Corder

suprical paper 40 THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

**Assistant Commissioner for Patents** Washington, D.C. 20231

Sir.

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Third Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents (References B18-B22 and C221-C230) required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

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construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed after three months of the filing of the present application and after the receipt of a first Official Action on the merits but before receipt of a Final Office Action UNDER 37 C.F.R. §1.113, or a Notice of Allowance under 37 C.F.R. §1.311. The fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p) for submission of an Information Disclosure Statement is also enclosed. If the referenced check is inadvertently omitted or deficient, or should an overpayment be included herein, the Assistant Commissioner is authorized to appropriately deduct or credit the requisite amount from Vinson & Elkins L.L.P. deposit account No. 22-0365/BAY136/4-010CIP.

Respectfully submitted,

Timothy S. Corder Reg. No. 38,414 Agent for Applicant

Vinson & Elkins L.L.P. 2300 First City Tower 1001 Fannin Houston, Texas 77002-6760 512/495-8446

Date: February 25, 2002

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		C221	Akagi et al., "Cre-mediated somatic site-specific recombination in mice," Nucleic Acids Res., 25(9):1766-1733, 1997.
		C222	Aladjem et al., "Postive Selection of FLP-Mediated Unequal Sister Chromatid Exchange Products in Mammalian Cells," Mol. Cell Biol., 17(2):857-861, 1997.
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